

Article - Real Property

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§11A-107.

The time-share instrument for a time-share license plan shall prescribe and outline reasonable arrangements for the management and operation of the time-share license plan and for the maintenance, repair, and furnishing of time-share units, which arrangements shall include provisions for the following:

- (1) Standards and procedures for housekeeping, repair, and interior furnishing of time-share units;
- (2) Adoption of standards and rules of conduct governing the use, enjoyment, and occupancy of time-share units by licensees;
- (3) Payment by the developer of time-share expenses;
- (4) Selection of a managing entity to act for and on behalf of the developer should the developer elect not to undertake the duties, responsibilities, and obligations of being the managing entity for the time-share license plan;
- (5) Procedures for establishing the rights of time-share licensees to occupancy, use, and enjoyment of time-share units by prearrangement or under a first reserved, first served priority system;
- (6) Procedures for assessment and collection of time-share expenses from time-share licensees;
- (7) Comprehensive general liability insurance for death, bodily injury, and property damage arising out of, or in connection with, the occupancy, use, and enjoyment of time-share units by time-share licensees, their guests, and other users. The insurance required by this subsection shall be in addition to the insurance required by § 11A-111 of this title. The developer shall pay the costs of securing and maintaining the insurance. Nothing herein shall be construed to obligate the developer to secure insurance on the conduct, personal effects, or property of the time-share licensees, their guests, and other users;
- (8) Methods of providing an alternate use period or monetary compensation to a time-share licensee if a time-share unit cannot be made available for the period to which the licensee is entitled by schedule or by a confirmed reservation; and

(9) Procedures for imposing a monetary penalty or a suspension of a time-share licensee's rights upon failure to comply with the provisions of the time-share instrument, to obey rules and regulations established by the developer, or to pay time-share expenses charged against the time-share licensee. The licensee shall be given notice and the opportunity to answer in person or in writing to the Commission before a decision to impose a monetary penalty or a suspension of rights is rendered.

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